

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

AGENDA

Wednesday, April 25, 2007
9:00 a.m.

**Water Quality Control Board
Regional Board Meeting Room
9174 Sky Park Court
San Diego, California**

The Regional Board requests that all lengthy comments be submitted in writing in advance of the meeting date. To ensure that the Regional Board has the opportunity to fully study and consider written material, comments should be received in the Regional Board's office no later than 5:00 P.M. on Wednesday, April 11, 2007, and should indicate the agenda item to which it is applicable. If the submitted written material is more than 5 pages or contains foldouts, color graphics, maps, etc., 20 copies must be submitted for distribution to the Regional Board members and staff. Written material submitted after 5:00 P.M. on Wednesday, April 18, 2007 will not be provided to the Regional Board members and will not be considered by the Regional Board.

PLEASE NOTE THAT SOME ITEMS ON THE AGENDA MAY HAVE BEEN PREVIOUSLY NOTICED WITH EARLIER DEADLINES FOR SUBMITTING WRITTEN COMMENTS. IN THOSE CASES THE EARLIER DEADLINES APPLY.

Comments on agenda items will be accepted by E-mail subject to the same conditions set forth for other written submissions as long as the total submittal (including attachments) does not exceed five printed pages in length. E-mail must be submitted to: rb9agenda@waterboards.ca.gov to insure consideration by the Regional Board. Type the word "Agenda" in the subject line.

Pursuant to Title 23, California Code of Regulations, Section 648.4, the Regional Board may refuse to admit written testimony into evidence if it is not submitted to the Regional Board in a timely manner, unless the proponent can demonstrate why he or she was unable to submit the material on time or that compliance with the deadline would create an unreasonable hardship.

NOTE C, attached to this Notice, contains a description of the hearing procedures that will be followed by the Regional Board. Hearings before the Regional Board are normally conducted using procedures that do not include cross-examination. Parties requesting use of more formal procedures must do so in accord with the directions in NOTE C. Any such request, together with supporting material, must be received in the Regional Board's office no later than 5:00 P.M. on Wednesday, April 11, 2007.

Except for items designated as time certain, there are no set times for agenda items. Items may be taken out of order at the discretion of the Chairman.

1. Roll Call and Introductions
2. PUBLIC FORUM: Any person may address the Board regarding a matter within the Board's jurisdiction that is not related to an item on this Meeting agenda. **Comments will generally be limited to three minutes, unless otherwise directed by the Chair.** Any person wishing to make a longer presentation should contact the Executive Officer at least twenty days prior to the meeting. Comments regarding matters that are scheduled for a future Meeting will be restricted.
3. Minutes of Board Meeting: April 11, 2007.
4. Chairman's, Board Members', State Board liaison's and Executive Officer's Reports: These items are for Board discussion only. No public testimony will be allowed, and the Board will take no formal action.

Consent Item:

5. Update of Waste Discharge Requirements: Oak Tree Ranch, Inc., Oak Tree Ranch Private Residential Community Wastewater Treatment and Disposal Facility near Ramona, San Diego County (tentative Order R9-2007-0046) (*Michelle Mata*)

Remainder of the Agenda (Non-Consent Items):

6. **PUBLIC HEARING:** Total Maximum Daily Loads (TMDLs) for Indicator Bacteria, Project I - Beaches and Creeks in the San Diego Region. The Regional Board will hear testimony and comments on the proposed bacteria TMDLs. The Regional Board will deliberate on and consider adoption of an amendment incorporating the TMDLs into the Basin Plan at a subsequent meeting. (Tentative Resolution No. R9-2007-0044) (*Christina Arias*)
7. **PUBLIC HEARING:** Total Maximum Daily Loads (TMDLs) for dissolved Copper, Lead, and Zinc in Chollas Creek, Tributary to San Diego Bay. The San Diego Water Board will hear testimony and comments on the proposed metals TMDLs. The San Diego Water Board may deliberate on and may consider adoption of an amendment incorporating the TMDLs in the Basin Plan, at this meeting. (Tentative Resolution No. R9-2007-0043) (*Benjamin Tobler*)
8. **Executive Session** - Discussion of Ongoing Litigation
The Regional Board may meet in closed session to discuss ongoing litigation for the following cases:

Schutte & Koerting, Inc. and Ametek, Inc. v. California State Water Resources Control Board and Regional Water Quality Control Board, San Diego Region. San Diego Superior Court, Case No. GIC 822750. Verified Petition for Writ of Mandate for Breach of Contract.

Schutte & Koerting, Inc. and Ametek, Inc. v. California State Water Resources Control Board and Regional Water Quality Control Board, San Diego Region. San

Diego Superior Court, Case No. GIC 824706. Verified Petition for Writ of Mandate for Breach of Contract.

People of the State of California Ex Rel. the Regional Water Quality Control Board, San Diego Region v. Robert Ortega, an individual in his capacity as Acting Commissioner of the International Boundary and Water Commission, United States Section, et al.. United States District Court, Southern District of California, Case No. 01-CV-027BTM(JFS); violation of effluent limits in waste discharge requirements for the International Wastewater Treatment Plant contained in Order No. 96-50 (NPDES No. CA0108928) and of Cease and Desist Order No. 96-52; Referral Order No. 99-61.

9. *Executive Session* - Consideration of Initiation of Litigation
The Regional Board may meet in closed session to consider initiating criminal prosecution against persons who are alleged to have violated the Porter-Cologne Water Quality Control or the federal Clean Water Act. (*John Robertus*)
10. *Executive Session* - Discussion of Pending Litigation
The Regional Board may meet in closed session to discuss pending litigation.
11. *Executive Session* - Personnel
The Regional Board may meet in closed session to consider personnel matters involving exempt employees [Authorized under Government Code Section 11126(a)]
12. Arrangements for Next Meeting and Adjournment
Wednesday, May 9, 2007 - 9:00 a.m.
Water Quality Control Board
Regional Water Quality Control Board
9174 Sky Park Court
San Diego, California

Notifications

A. Public Participation 30-day Notice

Proposed UST Closure - Site 16124, MCB Camp Pendleton

The Site Mitigation & Cleanup Unit has reviewed the "Final Site Assessment and Closure Report for Former Underground Storage Tank Site 16124, Marine Corps Base Camp Pendleton" prepared by ERRG dated December 2006. In the report, the consultant recommends no further action at the site of petroleum hydrocarbon contaminated soil as a result of an unauthorized release from the former UST. Site assessment was conducted in the immediate vicinity of the former UST in July 2006 to assess the lateral and vertical extent of petroleum hydrocarbon contamination, and no contamination was found remaining at the site. Based on this information, the unauthorized release case is appropriate for closure. The case files are available for public review by submitting a file review request to the Regional Board office. This public notice fulfills the Regional Board's obligation to inform the public of the proposed actions pursuant to the State and Regional Boards' Public Participation guidance document. Provided no significant issues arise during the public notification period, the Regional Board will issue a no further action letter after May 12, 2007. (*Helen Yu*)

B. Public Participation 30-day Notice**Proposed Site Closure - Installation Restoration (IR) Site 22, SPAWAR**

The Site Mitigation & Cleanup Unit has reviewed the "Final Site Assessment and Closure Report for IR Site 22 Former Fuel Line at the Point Loma Naval Complex SPAWAR." In the report, the consultant recommends no further action at the site of petroleum hydrocarbon contaminated soil as a result of an unauthorized release from the former fuel pipeline. Site assessment was conducted in the immediate vicinity of the former fuel line to assess the lateral and vertical extent of petroleum hydrocarbon contamination. The former fuel line was removed, except for a small length located beneath the Navy Seal Hospital where it was cleaned and closed in place. Based on this information, the unauthorized release case is appropriate for closure. The case files are available for public review by submitting a file review request to the Regional Board office. This public notice fulfills the Regional Board's obligation to inform the public of the proposed actions pursuant to the State and Regional Boards' Public Participation guidance document. *(Laurie Walsh)*

DIRECTIONS TO REGIONAL BOARD MEETING

From Downtown: I-15 north - take the Aero Drive exit - turn left (west). Proceed to the 3rd stoplight, which is Ruffin Road – turn right. Turn left on Sky Park Court (stoplight). Our building is located at the end of the court – veer to the right into the parking lot.

From the North: I-15 south - take the Balboa Ave. exit - turn right (west). Proceed to the 2nd stoplight, which is Ruffin Road – turn left. Turn right on Sky Park Court (stoplight). Our building is located at the end of the court – veer to the right into the parking lot.